

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

IN RE: William Augson  
Debtors.

CASE NO.: 12-70927-FJS  
Chapter 13

**MOTION TO MODIFY MORTGAGE LOAN**

**TO THE HONORABLE JUDGE FRANK J. SANTORO:**

**COME NOW** William Augson, Debtor, by counsel and moves the Court for authority to modify his mortgage loan, and in support thereof states as follows:

- 1) Debtor filed his Chapter 13 Bankruptcy proceedings in this Court on March 3, 2012.
- 2) Debtors filed his Chapter 13 Plan on March 7, 2012, the plan was confirmed on May 23, 2012.
- 3) Debtors desire to modify their current indebtedness by qualifying for a loan modification on their mortgage, the terms of which are as follows:
  - a. Debtor's first mortgage company, Ocwen Loan Servicing, LLC, is offering to capitalize all arrearages and delinquent escrow through May 1, 2013 into the principal of the loan.
  - b. The new principal balance, including the above arrearages, of the loan is \$110,999.83.
  - c. The effective date of the loan modification will be May 1, 2013.
  - d. The loan will consist of 268 payments and the maturity date of the loan will be August 1, 2035, at which time a balloon payment will become due.
  - e. The interest rate will be reduced to 3.54564% per year and remain in effect until principal and interest are paid in full.

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- f. The Debtors principal and interest payments will be \$490.78 and with estimated escrow the total payment will be \$691.28 and will be effective March 1, 2013.

3) The legal description of the subject property, located at 909 Roseclair Street, Norfolk, VA 23523 is as follows:

ALL those certain pieces or parcels of land, situate, lying and being in the city of Norfolk, Virginia, with the buildings and improvements thereon, and shown as Lots 19 and 20 in Block 11, on the plat delineating Plat of A. M. Cook's property, which plat is recorded in Map Book 1, at Page 23, in the Clerk's Office of the Circuit Court of the City of Chesapeake (erroneously stated to be in the City of Norfolk in prior deed), State of Virginia.

IT BEING the same property conveyed to Edward E. Peele and Christine W. Peele, husband and wife, by deed of Norfolk Hosing Development Corporation, a Virginia corporation, dated November 30, 1976, and recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia in Deed Book 1376, Page 841.

- 4) The Debtor believes that modifying his loan is necessary and proper, that the Debtor is able to repay that loan upon the terms set forth above, and that the purpose for modifying his loan is so that the Debtors will be able to be brought current on their arrearages, will have a lower interest rate, and lower monthly payments.
- 5) That Debtor will submit modified schedules I & J within 21 days of the approval of their loan modification and any other amendments as appropriate to commit all disposable income to the Plan.
- 6) Ocwen Loan Servicing, LLC will file the proper pleadings withdraw its proof of claim for prepetition arrearages upon approval of his loan modification.

WHEREFORE, the Debtor respectfully requests, that his Motion to Modify Loan be granted as requested and for the purposes described above.

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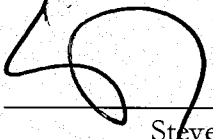
RESPECTFULLY SUBMITTED,

BY: 

Steve C. Taylor  
Counsel for Debtor

### CERTIFICATE OF MAILING

I certify that on April 19, 2013, I mailed a copy of the debtor's Motion to Modify Mortgage Loan, to the creditors and parties in interest on the attached Service List Ocwen Federal Savings Bank have been served via certified mail addressed to the officer named on the attached service list. All other parties have been served via first class mail addressed as shown attached list.



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**NOTICE OF MOTION TO MODIFY MORTGAGE LOAN**

The Debtors have filed papers with Court to Modify his Mortgage.

**Your rights may be affected.** You should read these papers carefully and discuss them with your Attorney, if you have one in their case. (If you do not have an Attorney, you may wish to consult one.)

If you do not want the Court to grant the Relief requested, or if you want the Court to consider your views on the Motion then, on or before 5/10/13, you or your Attorney must file with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rules 4001(a)-1(C) and 9013-1 (H). You must mail your response to the Court for filing.

You must also mail a copy to:

Clerk of Court  
United States Bankruptcy Court  
600 Granby Street, Fourth Floor  
Norfolk, VA 23510

Steve C. Taylor  
Law Office of Steve C. Taylor, P.C.  
133 Mount Pleasant Road  
Chesapeake, VA 23322

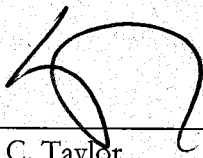
If you or your Attorney do not take the above step(s), the Court may decide you do not oppose the relief sought in the motion and may enter an Order granting the Motion without further notice or hearing.

Date: 4/19/13

  
\_\_\_\_\_  
Steve C. Taylor

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Credit Control Corp  
P.O. Box 120568  
Newport News, VA 23612

Credit Control Corp. (notice)  
Terry C. Fuller, Reg. Ag.  
11821 Rock Landing Dr.  
Newport News, VA 23606

Depaul Medical Center  
150 Kingsley Lane  
Norfolk, VA 23505

DePaul Medical Center  
Michael L. Goodman Reg. Ag.  
4501 Higwoods Pkwy, Ste. 210  
Glen Allen, VA 23060

First Premier (notice)  
Corp svc Co, Reg. Ag.  
1111 East Main St., 16th Fl.  
Richmond, VA 23219

First Premier Bank  
P.O. Box 1967  
Southgate, MI 48195-0967

Hampton Roads Health System  
DePaul Medical Center  
P.O. Box 198392  
Atlanta, GA 30384-8392

Loan Max  
Anderson Financial  
4700 E. Virginia Beach Blvd.  
Virginia Beach, VA 23462

Loan Max (RA)  
Larry Brown, Registered Agent  
9116 Santayana Dr.  
Fairfax, VA 22031

Ocwen Federal Bank, FSB (cert)  
Attn: Bill Erby, CEO  
2400 Lemoine Avenue  
Fort Lee, NJ 07024

Ocwen Loan Servicing  
P.O. Box 24646  
West Palm Beach, FL 33416-4646

Ocwen Loan Svcng (notice)  
Corporation Svc. Co., Reg. Ag.  
1111 E. Main St., 16th Floor  
Richmond, VA 23219

Sentara  
PO Box 2200  
Norfolk, VA 23501

Sentara (notice)  
Jeffrey P. King, Reg. Ag.  
6015 Poplar Hall Dr., Ste. 308  
Norfolk, VA 23502

Sentara Collections  
PO Box 2156  
Morrisville, NC 27560

Sentara Collections  
535 Independence Pkwy, #700  
Chesapeake, VA 23320

Sentara Leigh  
P.O. Box 1875  
Norfolk, VA 23501

William C. Parkinson, Jr., PC  
Bank of New York Mellon as Tru  
5310 Markel Road, Ste. 200  
Richmond, VA 23230